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OFFICE OF PETITIONS

In re Application of
Abdulahi Mohamed
Application No.: 09/964,590
Filed: September 28, 2001
Attorney Docket No: M510 0005

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: ON PETITION
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This is in response to the petition under 37 CFR 1.137(b) filed March 14, 2005.

The petition under 37 CFR 1.137(b) is **granted**.

On October 26, 2001, a "Notice to File Missing Parts of Nonprovisional Application" (the "Notice") was mailed by the Office allowing a two-month period for reply. Extension of time were available pursuant to 37 CFR 1.136(a). The Notice required an executed oath or declaration, \$65.00 surcharge, and substitute drawings. A Notice of Abandonment was mailed on November 12, 2003.

The above-identified application has been abandoned for an extended period of time. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting the statement that the entire delay in filing the required reply form the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178; 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109) (applicant obligated under 37 CFR 10.18 to inquire into the underlying facts and circumstances when providing the statement required by 37 CFR 1.137(b) to the Patent and Trademark Office.

The executed declaration and substitute drawings filed March 14, 2005, are noted and made of record.

Deposit account 02-1037 will be charged \$65.00 for the required surcharge.

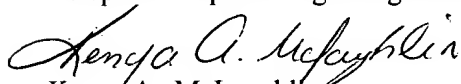
The address as cited on the petition differs from the address of record. Although a courtesy copy of this decision is being mailed to the address cited on the petition, all future correspondence will be mailed solely to the address of record until appropriate written instructions to the contrary are received.

This application is being forwarded to the Office of Initial Patent Examination for further processing.

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Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3222.



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